

REMARKS

Claims 1-34 are pending in the present application. All of said claims are subject to a restriction and election requirement as set forth in the Office Action mailed March 15, 2011.

The Office Action set a Restriction Requirement to one of the following inventions pursuant to 35 U.S.C. §121:

Group I, claims 1-13, drawn to a method.

Group II, claims 14-34, drawn to an apparatus.

The Office Action also required the election of one of the species set forth at page 2 of the Office Action, contending that the application contains claims directed to more than one species of the generic invention.

By this amendment, the Group I claims 1-13 are elected for examination on the merits without traverse and accordingly, Group II claims 14-34 are requested to be canceled; provided however that applicant preserves the right to prosecute the subject matter of claims 14-34 in one or more continuing applications filed at a later date. Accordingly, any requirement at this time to elect Species with respect to clauses 14-34 is hereby rendered moot in view of the cancellation of these claims.

Applicant also preserves the right to later add claims after the election presented above and will accordingly at such time indicate which of said claims added are readable upon the elected invention.

Cancellation of the claims to date in the present application does not impact inventorship of the present application.

The abstract is amended above to provide for better reading of the abstract in view of the claims pending. No new subject matter is being entered into the abstract.

By this amendment, pending claims 2-5, 8-9, 11 and 13 are requested to be amended to clarify the methodology subject matter of said claims and to provide same in a format conducive to U.S. examination. No new matter is requested to be entered into the amended claims. In particular, the amendments to the claims are to positively and expressly recite methodology to provide for a better understanding and ease of reading of the claims' subject matter.

It respectfully is submitted that the amendments to said claims are self-explanatory as to what is being claimed and the antecedent support for such amendments. For example, however, the amendments to claim 4 find support from claim 4 as originally filed, and see also the specification as originally filed at page 3, lines 14-16. The amendments to claim 5 find support from claim 5 as originally filed, and see also the specification as originally filed at page 3, lines 29-31.

In that regard, because the claims which remain pending are all directed toward method subject matter, it respectfully is submitted that while applicant has elected the Group I claims without traverse for examination on the merits, applicant traverses the requirement to elect one of the species set forth on pages 2-3 of the Office Action. That is, all of the claims which remain pending in the present application, i.e. claim nos. 1-14, are directed toward method subject matter for which the drawing figures are not necessary in order to understand the subject matter being claimed. Claim 1 is the only independent method claim

which remains pending for examination on the merits. Claims 2-13 depend therefrom and accordingly, include all the features of original independent method claim 1. There is therefore "unity of invention", as all of the dependent claims carry a common technical relationship with original independent claim 1.

Accordingly, applicant does not need to elect a species, but if such election is necessary, applicant elects Species A, which includes claims 1-13 and is directed toward all the Figures. Applicant also preserves the right, upon the allowance of a generic claim, to be entitled to consideration of claims to additional species which are written in dependent form or otherwise require all the limitations of an allowed generic claim. Therefore, it respectfully is submitted that the inventions elected have unity of invention in view of said claims having dependence upon independent method claim 1.

All issues raised in the Office Action are believed to have been addressed. In view of the foregoing amendments and remarks, favorable action on the merits, including entry of all amendments and allowance of claims 1-13 pending, respectfully is requested.

Respectfully submitted,

/Joshua L. Cohen/

Correspondence Customer No. 20411

Tel: 908-771-6167

Fax: 908-771-6159

Joshua L. Cohen
Registration No. 34,307
Attorney for Applicants
Date: April 14, 2011